



Entered on Docket
February 05, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

Annette W. Jarvis (Utah Bar No. 1649)
Steven C. Strong (Utah Bar No. 6340)
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: ajarvis@rqn.com

Lenard E. Schwartz (Nevada Bar No. 0399)
Jeanette E. McPherson (Nevada Bar No. 5423)
SCHWARTZER & MCPHERSON LAW FIRM
2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Telephone: (702) 228-7590
Facsimile: (702) 892-0122
Email: bkfilings@s-mlaw.com

Attorneys for Debtors and Debtors-in-Possession

Marc A. Levinson (California Bar No. 57613)
Jeffery D. Hermann (California Bar No. 90445)
ORRICK, HERRINGTON & SUTCLIFFE LLP
400 Capitol Mall, Suite 3000
Sacramento, CA 95814-4497
Telephone: (916) 447-9200
Facsimile: (916) 329-4900
Email: malevinson@orrick.com;
jhermann@orrick.com

Bob L. Olson (Nevada Bar No. 3783)
Anne M. Loraditch (Nevada Bar No. 8164)
BECKLEY SINGLETON, CHTD.
530 Las Vegas Boulevard South
Las Vegas, NV 89101
Telephone: (702) 385-3373
Facsimile: (702) 385-5024
Email: bolson@beckleylaw.com;
aloraditch@beckleylaw.com

*Attorneys for the Official Committee of Equity Security
Holders of USA Capital Diversified Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
Case No. BK-S-06-10725-LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA First Trust Deed Fund, LLC

**ORDER REQUIRING GARTH
MCBRIDE TO APPEAR FOR
EXAMINATION PURSUANT TO
FEDERAL RULE OF BANKRUPTCY
PROCEDURE 2004**

Upon consideration of the Joint Ex Parte Application by USA Capital Diversified Trust Deed Fund, LLC and the Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC, no hearing being required, and good cause appearing,

IT IS ORDERED that the Application be, and hereby is, **GRANTED**, and Garth McBride shall appear on **February 28, 2007, at 11:00 a.m. prevailing Pacific Time**, at the law offices of Beckley Singleton, Chtd., 530 Las Vegas Boulevard South, Las Vegas, Nevada 89101 to be examined under oath in relation to the following matters:

Acts, conduct or property of Diversified and the other debtors in the above-captioned bankruptcy cases (collectively, the "Debtors"), or to any matter which may affect the administration of the Debtors' estates; and acts, conduct, or property of the Debtors that relate to the liabilities and financial condition of the Debtors, the source of any money or property acquired or any other matter relevant to the cases, and specifically including the financial audits and/or reviews performed by Beadle, McBride, Evans & Reeves, LLP on the Debtors, and their affiliates, subsidiaries, parents, or otherwise related entities.

Such examination shall continue until completed.

///

///

///

///

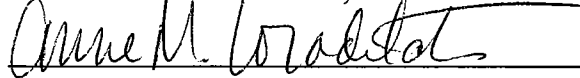
///

///

{00365040;}

1 Prepared and respectfully submitted by:

2 BECKLEY SINGLETON, CHTD.

3 

4 Bob L. Olson (Nevada Bar No. 3783)

5 Anne M. Loraditch (Nevada Bar No. 8164)

6 530 Las Vegas Boulevard South

7 Las Vegas, NV 89101

8 and

9 Marc A. Levinson (California Bar No. 57613)

10 Jeffery D. Hermann (California Bar No. 90445)

11 ORRICK, HERRINGTON & SUTCLIFFE LLP

12 400 Capitol Mall, Suite 3000

13 Sacramento, CA 95814-4497

14 *Attorneys for the Official Committee of Equity Security*

15 *Holders of USA Capital Diversified Trust Deed Fund, LLC*

16 and

17 Annette W. Jarvis (Utah Bar No. 1649)

18 Steven C. Strong (Utah Bar No. 6340)

19 RAY QUINNEY & NEBEKER P.C.

20 36 South State Street, Suite 1400

21 P.O. Box 45385

22 Salt Lake City, Utah 84145-0385

23 and

24 Lenard E. Schwartzer (Nevada Bar No. 0399)

25 Jeanette E. McPherson (Nevada Bar No. 5423)

26 SCHWARTZER & MCPHERSON LAW FIRM

27 2850 South Jones Boulevard, Suite 1

28 Las Vegas, Nevada 89146-5308

Attorneys for Debtors and Debtors-in-Possession

###